



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Markus BERGER et al.

Serial No.: 10/631,011

Group Art Unit: 1646

Filed: July 31, 2003

Examiner: unassigned

For: EFFECTOR CONJUGATES, PROCESS FOR THEIR PRODUCTION AND THEIR PHARMACEUTICAL USE

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

**Timing and Fees**

- ☒ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:
- ☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);
  - ☐ within three months of the actual filing date of the national phase of a PCT application; OR
  - ☒ before the mailing of a first substantive office action (including after filing of an RCE).
- ☐ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:
- ☐ a final rejection under 37 C.F.R. 1.113;
  - ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
  - ☐ a notice of allowance under 37 C.F.R. § 1.311; and

is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
- ☐ a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
- ☐ Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:
  - ☐ a final action under 37 C.F.R. § 1.113;
  - ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
  - ☐ a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).

Statements Under 37 C.F.R. 1.97(e)

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. \_\_\_\_\_, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☒ Copies of materials listed but not attached were cited in an international search report dated April 5, 2004.
- ☐ Copies of the materials listed are attached (except for the foregoing).

### Non-English Language References

☒ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).

☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:

X = document of particular relevance when it is taken alone

Y = document of particular relevance when it is combined with another such document

A = document defining the general state of the art

O = non-written disclosure

P = intercalated document

T = document cited to understand the theory or principle underlying the invention

E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date

D = cited in the application

L = cited for another reason

& = publication of member of same patent family

☐ Translation of other relevant information on foreign search report

### Other Information

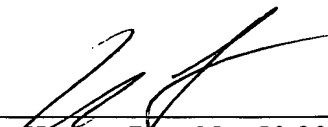
#### Payment of Fees Due (If Any):

☐ A check for \$      covering the fee identified above is attached.

☐ Please charge to Deposit Account No. 13-3402 \$      for the fee identified above.

☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,



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Attorney Docket No.: DORRIE-0009

Date: October 4, 2004

AJZ:ssr



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PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>			
				Application Number		10/631,011	
				Filing Date		July 31, 2003	
				First Named Inventor		Markus BERGER et al.	
				Group Art Unit		1646	
				Examiner Name		unassigned	
Sheet	1	of	2	Attorney Docket Number		DORRIE-0009	

U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	001	5,942,555		SWAN DALE ET AL.	08-24-1999
	002	2002/058286		WU ZHICAI ET AL.	05-16-2002
	003	4,552,893		GLEASON ET AL.	11-12-1985
	004	6,441,213		MUSA ET AL.	08-27-2002
	005	6,075,120		CHERONIS ET AL.	06-13-2000
	006	2002/058817		DANISHEFSKY ET AL.	05-16-2002
	007	2002/045609		ASHLEY ET AL.	04-18-2002
	008	6,410,301		JULIEN ET AL.	06-25-2002

FOREIGN PATENT DOCUMENTS								
Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	009	EP	0121350		SMITHKLINE BECKMAN	10-10-1984		003
	010	WO	03/005026		AMERSHAM BIOSCIENCES ET AL.	01-16-2003		
	011	EP	1156053		NAT STARCH CHEM	11-21-2001		004
	012	WO	94/11021		CORTECH INC	05-26-1994		005
	013	DE	10041221		DEUTSCHES KREBSFORCH	03-14-2002		
	014	WO	01/64650		SLOAN KETTERING INST CANCER ET AL.	09-07-2001		006
	015	WO	01/92255		KOSAN BIOSCIENCES INC ET AL.	12-06-2001		007
	016	WO	01/83800		KOSAN BIOSCIENCES INC ET AL.	11-08-2001		008

Examiner Signature	Date Considered
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<sup>1</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.

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<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/631,011	
			Filing Date	July 31, 2003	
			First Named Inventor	Markus BERGER et al.	
			Group Art Unit	1646	
			Examiner Name	unassigned	
Sheet	2	of	2	Attorney Docket Number	DORRIE-0009

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	017	BERSUKER I B ET AL: "IMPROVED ELECTRON-CONFORMATIONAL METHOD OF PHARMACOPHORE IDENTIFICATION AND BIOACTIVITY PREDICTION. APPLICATION TO ANGIOTENSIN CONVERTING ENZYME INHIBITORS" JOURNAL OF CHEMICAL INFORMATION AND COMPUTER SCIENCES. 2000 NOV-DEC, vol. 40, NO. 6, November 2000 pages 1363-1376	
	018	WANG LAI-XI ET AL: "CARBOHYDRATE-CENTERED MALEIMIDE CLUSTER AS A NEW TYPE OF TEMPLATES FOR MULTIVALENT PEPTIDE ASSEMBLING: SYNTHESIS OF MULTIVALENT HIV-1 gp41 PEPTIDES." BIOORGANIC AND MEDICINAL CHEMISTRY, vol. 11, no. 1, 2 January 2003, pages 159-166	
	019	REGHUNADHAN NAIR C P ET AL.: "FREE READICAL COPOLYMERISATION OF N-(4-HYDROXY PHENYL) MALEIMIDE WITH VINYL MONOMERS: SOLVENT AND PENULTIMATE-UNIT EFFECTS" EUROPEAN POLYMER JOURNAL, PERGAMON PRESS LTD. OXFORD, GB., vol. 35, no. 10, 28 July 1999, pages 1829-1840	
	020	KALGUTKAR A S ET AL.: " INACTIVATION OF PROSTAGLANDIN ENDOPEROXIDE SYNTHASE (PGHS) BY N-(SUBSTITUTED) MALEIMIDES" ADVANCES IN EXPERIMENTAL MEDICINE AND BIOLOGY. 1997, vol. 407, 1997, pages 79-85	

Examiner Signature		Date Considered	
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